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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

LA ALLIANCE FOR HUMAN RIGHTS, et al.,

Plaintiffs,

vs.

CITY OF LOS ANGELES, a municipal entity;
COUNTY OF LOS ANGELES, a municipal
entity; and DOES 1 through 10 inclusive,

Defendants.

Case No.: 2:20-cv-02291-DOC-KES
Assigned to Judge David O. Carter

**PLAINTIFFS' RESPONSE TO
CITY AND COUNTY PLAN
IMPLEMENTING COURT
ORDER DATED MAY 15, 2020**

Plaintiffs LA Alliance for Human Rights, Charles Van Scoy, Harry Tashdjian, George Frem, Leandro Suarez, Joseph Burk, Gary Whitter, Karyn Pinsky, and Charles Malow (collectively "Plaintiffs") hereby submit the following response to Defendants City and County's separate plans filed in response to the Order re: Preliminary Injunction issued May 15, 2020:

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1 Plaintiffs recognize the tremendous amount of work that has gone into developing
 2 the City and County's respective plans within just a few days and support efforts to provide
 3 alternative housing to thousands in a thoughtful manner, including outreach and hygiene
 4 efforts. However, there are several issues that concern Plaintiffs about each plan.

6 **City's "Phase 1" and "Phase 2" Should Happen Simultaneously**

7 Plaintiffs applaud the City's plan to create alternative housing for 3,100 persons
 8 estimated to reside near the freeways within a matter of months. However, it must be
 9 made clear that the plan to provide alternative housing and relocate approximately 3,100
 10 persons is separate and distinct from Project Roomkey and recreation center exit plans.
 11 The Court's order, to Plaintiff's understanding, has nothing to do with Project Roomkey
 12 and rec center exit plans which must be handled separately and simultaneously. Plaintiffs
 13 object to the timing of the freeway-targeted shelters occurring only after Project Roomkey
 14 and Recreation Center exit plans take place. The two plans are not mutually exclusive.

15 Plaintiffs recognize the City's plan is carefully crafted to comply with Centers for
 16 Disease Control and Prevention (CDC) and Department of Public Health (DPH) guidelines
 17 concerning COVID-19 which provides: "If individual housing options are not available,
 18 allow people who are living unsheltered or in encampments to remain where they are."

19 *See Interim Guidance on Unsheltered Homelessness and Coronavirus Disease 2019*

20 *(COVID-19) for Homeless Service Providers and Local Officials*, at

21 [https://www.cdc.gov/coronavirus/2019-ncov/community/homeless-shelters/unsheltered-](https://www.cdc.gov/coronavirus/2019-ncov/community/homeless-shelters/unsheltered-homelessness.html#facility-encampments)
 22 [homelessness.html#facility-encampments](https://www.cdc.gov/coronavirus/2019-ncov/community/homeless-shelters/unsheltered-homelessness.html#facility-encampments) (last visited May 19, 2020 at 3:58pm).

23 According to the Court's order, housing accommodations which would meet COVID-19
 24 distancing requirements must be provided, therefore no conflict should exist preventing
 25 the City from implementing plans immediately.

1 If the City's position is that its resources are taxed to capacity, and there is an
2 inability to work on both Project Roomkey and rec center exits and freeway clearing
3 simultaneously, that should be explained and ultimately resolved.

4 **County Needs to Increase Bed Capacity and Funding**

5 Plaintiffs further applaud the implementation of pilot projects and outreach by the
6 County to homeless individuals near freeways. However, County's plan does not address
7 the 3,000-4,000 individuals under, above, and around freeways that are within the county
8 but not in the City of LA or unincorporated areas. While the County notes its intent to
9 work with other cities within its borders, no timeline or concrete details have been
10 provided for that to occur. And while the County notes it is not responsible for "hygiene,
11 housing, or enforcement policies" within other cities' borders, it IS responsible for
12 maintaining public health and providing healthcare to indigents within the County.

13 Most importantly, the County is the entity that receives most of the funding from
14 the state and federal government, as well as income through Measure H, Property taxes,
15 and other sources. As such, the County should be increasing its commitment to provide
16 shelter for more than "200-350" people. It is also unacceptable that the County would
17 not commit to additional funding for operational costs for the City shelters that will be
18 coming online in the next several months; a commit to simply "work together" or even go
19 to a mediator is not sufficient, and highlights the upcoming issues that will arise as the
20 parties work towards larger solutions.

21 Finally, Plaintiffs note that given the health crisis, voluntary relocation away from
22 freeways is inadequate. Plaintiffs concur that persons voluntarily moving into alternative
23 options is ideal, and voluntary compliance should be fully maximized. However, given
24 the health crisis, particularly the nexus between pulmonary health, freeway proximity,
25 and COVID-19, the County has an obligation to ensure those locations are ultimately
26 cleared of human habitation.

1 Dated: May 20, 2020

/s/ Elizabeth A. Mitchell

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